

*Recd 7/20/05  
LDB*

(12/98)

**United States District Court****for****Southern District of Ohio****Report on Offender Under Supervision**

Name of Offender: **Daniel S McKinney** Case Number: **1:02CR00093**  
Name of Sentencing Judicial Officer: **The Honorable Herman J. Weber  
Senior United States District Judge**  
Date of Original Sentence: **February 13, 2003**  
Original Offense: **Theft of Bank Funds, a violation of 18 U.S.C. § 2113(b)**  
Original Sentence: **60 month(s) probation**  
Special Conditions: **1) 120 days electronically monitored home confinement  
2) no new lines of credit or purchases on existing lines of credit without permission of supervising probation officer  
3) provide all financial information requested by probation officer  
4) complete National Corrective Training Institute-Theft Class  
5) pay \$100 Special Assessment  
6) pay restitution in the amount of \$10,182**  
Type of Supervision: **Probation** Date Supervision Commenced: **February 13, 2003**

**NON-COMPLIANCE SUMMARY**

The offender has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
#1	The probationer has allegedly violated the mandatory probation condition which states: "The probationer shall not commit another federal, state, or local crime". On July 15, 2005, the undersigned probation officer was notified that on May 27, 2005, Mr. McKinney was arrested on the charge of Carrying a Concealed Weapon. This case was filed in the Hamilton County Municipal Court in Cincinnati, Ohio, under Docket Number 05CRA18537. Mr. McKinney was released on \$5,000 bond-10 percent on that same day. On June 2, 2005, the offender appeared before the Hamilton County Court of Common Pleas Grand Jury on the above charge under Docket Number B 0505386, at which time the charge was ignored.

**U.S. Probation Officer Action:**

According to information received by the probation officer, on May 27, 2005, a Criminal Complaint was filed by a Cincinnati, Ohio police officer against Mr. McKinney who allegedly had a deadly weapon, .38 Smith and Wesson revolver, which was ready at hand inside a vehicle that he was operating.

Although the charge was ignored by the Hamilton County Grand Jury, the undersigned probation officer is extremely concerned that the offender will be driving a vehicle with a loaded .38 revolver inside. Such behavior is a severe violation of probation conditions. The undersigned probation officer is respectfully requesting that no action be taken to give this officer additional time to obtain more information as to the circumstances surrounding this arrest.

The Court is reminded to mark the box reflecting the Court's decision in this matter, and to sign the appropriate location.

Respectfully submitted,

by

*John C. Cole, Jr.*  
John C. Cole, Jr.  
David J. Backman  
U.S. Probation Officer

Date: July 18, 2005

Approved,

by

*John C. Cole*  
John C. Cole, Supervising  
U.S. Probation Officer  
Date: 7-19-05

[ ] [ ]

- I concur with the recommendation of the Probation Officer  
Submit a Request for Modifying the Condition or Term of Supervision  
Submit a Request for Warrant or Summons

*R. H. Miller*  
Signature of Judicial Officer

*7/24/05*  
Date